

Evan's Slide Stabilization

Decision Record

Environmental Assessment Number OR080-08-09

July 2008

United States Department of the Interior
Bureau of Land Management
Oregon State Office, Salem District
Marion County, Oregon

T. 8S, R. 4E, section 19, Willamette Meridian

Responsible Agency: USDI - Bureau of Land Management

Responsible Official: Cindy Enstrom, Field Manager
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As the Nation's principal conservation agency, the Department of Interior has responsibility for most of our nationally owned public lands and natural resources. This includes fostering economic use of our land and water resources, protecting our fish and wildlife, preserving the environmental and cultural values of our national parks and historical places, and providing for the enjoyment of life through outdoor recreation. The Department assesses our energy and mineral resources and works to assure that their development is in the best interest of all people. The Department also has a major responsibility for American Indian reservation communities and for people who live in Island Territories under U.S. administration.

BLM/OR/WA/AE-08/081+1792

I. Introduction

The Bureau of Land Management (BLM) in partnership with North Santiam Watershed Council proposes to initiate a number of related actions to reduce erosion and help reestablish channel stability in an unnamed tributary channel of Evans Creek, located just west of the Evans Mountain Road (road # 8-4e-32). Project implementation would take place between August 2008 and October 1, 2018, depending on the availability of materials and budget. Some actions may be repeated, as deemed necessary, depending on the efficacy of the action as determined by monitoring. An environmental analysis was conducted and documented in the *Evan's Slide Stabilization Environmental Assessment and Finding of No Significant Impact* (EA). A Finding of No Significant Impact (FONSI) was incorporated into this EA (EA # OR080-08-09) and was signed on June 25, 2008. The EA was then made available for public review.

II. Decision

Based on the analysis contained in the Evan's Slide Stabilization EA, and management direction contained in the Salem District Resource Management Plan (RMP) I have decided to implement the proposed action of the Evan's Slide Stabilization EA, herein known as the "selected action". The following is a summary of the selected action.

- Up to 40 trees, with root wads attached, will be placed by helicopter into the stream channel in an unnamed tributary to Evans Creek. Trees would range from 18 to 30 inches in diameter at breast height (dbh) and from 40 to 100 feet in length, and would be placed in 20-40 sites from the mouth to the headwaters (approximately 1,500 feet) at the base of an unstable soil mass (approximately 25,000 cubic-yards). Most of the trees would be placed in configurations of 2-3 per site; some trees would also be placed individually.
- Sediment and colluvium in the headwaters of this channel and the surface of a rotational slump adjacent to the tributary will be stabilized by the application of erosion control methods such as the addition of "wood straw" and a weed-free seed mix or the placement of straw bales, straw blankets and silt fencing, or the use of an assortment of other types of soil bioengineering methods¹ and biodegradable erosion control methods.
- Small deciduous trees (<16 inches dbh) and brush adjacent to the tributary channel and the main channel would be selectively cut and placed in the channel to help filter and trap suspended sediment in transport.
- Large woody debris (**LWD**) will be placed into the Evan's Creek main channel to function as fish habitat enhancement and to help retain and store sediment in transit through the channel.

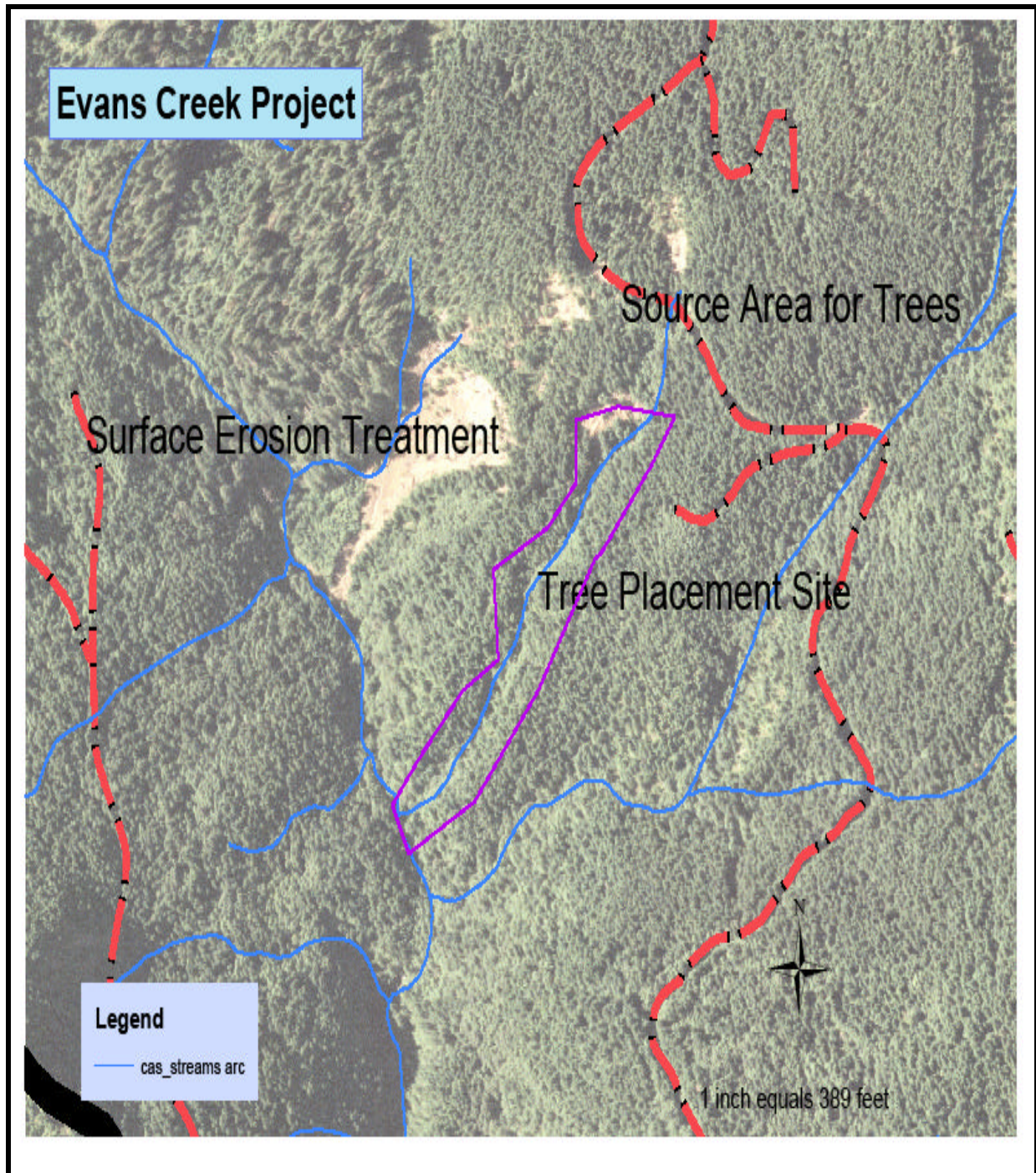
Project Design Features

The following is a summary of the design features for this project (*EA section 2.2.1*).

- Limit the use of mechanized equipment in the tree source area to the road right-of-way when safe and practical.
- Limit soil compaction by allowing no more than one pass with the excavator along any individual route outside of the road right-of-way and any compacted areas would be sub-soiled by the excavator upon completion of tree removal.

¹ Examples of soil bioengineering methods and BMPs that may be applied are available at <http://www.portlandonline.com/shared/cfm/image.cfm?id=94539>

Map 1: Proposed Action



- Do not operate the excavator on soils when they are saturated; limit turning and rocking of the excavator as much as practical to avoid displacing and gouging the mineral soil.
- Limit breakage and disturbance of standing dead and downed trees and logs as much as practical.
- Limit breakage of trees and branches in the riparian zone during wood placement as much as practical.
- Locate Helicopter service landings at least 500 feet from any water body. Refuel all power equipment outside of riparian reserves.
- Locate log (LWD) deck site on flat ground away from water.
- Clean all earth moving and logging equipment free of soil and plant parts before entering BLM lands to prevent the introduction of invasive/nonnative species.
- Seed areas of disturbed soil that are a result of the proposed project to abate the establishment of these species. Use Oregon Certified blue wild rye (*Elymus glaucus*) or other approved native seed from the Cascade eco-region of Oregon where seeding takes place.
- Implementation of the project will occur outside of the Northern spotted owl nesting season.
- In-stream project activities outside of the in-stream work window (July 15-August 31) will only occur with the approval of the Oregon Department of Fish and Wildlife.

III. Alternatives Considered

Proposed Action: The proposed action is described above in **Section II Decision**.

Under the No Action Alternative no tree placement or erosion control activities would occur in the unnamed tributary of Evans Creek. Retention in the channel of the sediment stored in the headwaters and on the surface of the rotational slump and debris slide would be dependent on the existing structural elements in the channel.

III. Decision Rationale

Considering public comment, the content of the Evan's Slide Stabilization EA, the supporting project record, and the management direction contained in the Salem District RMP, I have decided to implement the selected action, as previously described for the following reasons (see *EA section 1.2.1*). The selected action would:

- Meet the purpose and need of the project (*EA section 1.2*);
- Comply with the Salem District Record of Decision and Resource Management Plan, May 1995 (RMP); and related documents which direct and provide the legal framework for management of federal lands within the project area (*EA section 1.3*);
- Not have significant impacts on the affected elements of the environment beyond those already anticipated and addressed in the RMP/EIS;
- In the tributary channel (approximately 1,500 feet), actions would help achieve desirable future conditions as noted in the purpose and need;
- In the reaches downstream of the tributary channel and landslide, improve water quality by reducing the supply of fine sediment, increase the habitat complexity, and improve the habitat quality for fish species that are resident;
- Not increase the risks to public safety and infrastructure from flooding and landsliding;
- Minimize surface erosion and revegetate eroding surfaces; and

- Not contribute to the expansion of invasive/nonnative weed populations.

The “No Action Alternative” was not selected for the following reasons. The “No Action Alternative” would:

- Not meet the purpose and need of the project (*EA section 1.2*).
- Not improve the tributary channel (approximately 1,500 feet); no action does not address the ongoing problems identified in the purpose and need for action.

IV. Compliance with Direction

The analysis documented in the *Evan’s Slide Stabilization Environmental Assessment and Finding of No Significant Impact* (EA) supplements analysis found in the *Salem District Proposed Resource Management Plan/Final Environmental Impact Statement*, September 1994 (RMP/FEIS). This project has been designed to conform to the *Salem District Record of Decision and Resource Management Plan*, May 1995 (RMP), and related documents which direct and provide the legal framework for management of BLM lands within the Salem District (*EA section 1.3*). All of these documents may be reviewed at the Cascades Resource Area office.

V. Public Involvement/ Consultation/Coordination

Scoping

A scoping letter was sent on February 22, 2008 to federal, state and municipal government agencies and interested parties on the Cascades Resource Area mailing list. The letter briefly described the project and included a map of the project area. In addition, a public presentation of the project was given to the North Santiam Watershed Council on February 14, 2008 in Stayton, Oregon. Six scoping comment letters were received. Table 1 shows the concerns that were raised in scoping and where they were addressed in this document (*EA section 1.4*).

Table 1: Concerns that were raised in Scoping

<i>Concern</i>	<i>Addressed in EA section</i>
Request of Cabling structures in place on steep slopes	5.3 - Public Scoping and Notification
Expense of using a helicopter	5.3 - Public Scoping and Notification
Flood Potential	3.3.1 - Public Safety
Water Quality and Water Resource concerns such as	3.3.6 - Channel Function and Water Quality
Changing water levels	5.3 - Public Scoping and Notification
Change in turbidity	3.3.6 - Channel Function and Water Quality
Change in underground water quality (wells)	5.3 - Public Scoping and Notification
Altering access banks that would impact safe use for disabled clients.	5.3 - Public Scoping and Notification

Comment Period and Comments

A copy of the EA and FONSI was made available on the Internet at <http://www.blm.gov/or/districts/salem/plans/index.php> on June 25, 2008. A copy of the EA and FONSI was also made available for review at the Salem District Office, Cascades Resource Area Office, 1717 Fabry Road SE, Salem, Oregon. The notice for public comment was published in a legal notice by the *Stayton Mail* newspapers on June 25, 2008. During the EA comment period, I received no comments concerning this project.

ESA Section 7 Consultation

US Fish and Wildlife Service: Consultation for the proposed project is included in the *Batched Biological Assessment for Projects with the Potential to Modify the Habitats of Northern spotted owls and/or Bald Eagles or Modify Critical Habitat of the Northern spotted owl for the Willamette Province - FY 2007-2008*. A Letter of Concurrence was issued on September 22, 2006 (FWS reference #1-7-06-I-0192). No suitable habitat would be removed or downgraded, and suitable habitat would be maintained after individual tree removal for the project. The vicinity has been surveyed to protocol and there were no spotted owl responses. The project would occur outside of the breeding season for spotted owls. The project area is not located in Critical Habitat and is not located within disruption distance of any known spotted owl sites.

NOAA Fisheries: Determinations have been made that the project may affect, but is not likely to adversely affect Upper Willamette River (UWR) steelhead trout or UWR chinook salmon. This project is covered under the Aquatic Restoration Biological Opinion, dated June 27, 2008.

VI. Conclusion

Review of Finding of No Significant Impact

I have determined that change to the Findings of No Significant Impact (EA #OR080-08-09 FONSI – June, 2008) covering the Evan's Slide Stabilization project is not necessary because I've considered and concur with information in the EA and FONSI and this Decision Record. No new information was provided that lead me to believe the analysis, data or conclusions are in error or that the selected action needs to be altered. The selected action would not have effects beyond those already anticipated and addressed in the RMP EIS.

Supplemental or additional information to the analysis in the RMP/FEIS in the form of a new environmental impact statement is not needed for the reasons described in the Findings of No Significant Impact (Evan's Slide Stabilization EA, pages 4-6).

Administrative Review Opportunities

This decision may be appealed to the Interior Board of Land Appeals in accordance with the regulations contained in 43 Code of Federal Regulations (CFR), Part 4 and Form 1842-1.

If you appeal: A public notice for this decision is scheduled to appear in the *Stayton Mail* on July 23, 2008. Within 30 days of this notification, a *Notice of Appeal* must be filed in writing to the office which issued this decision – Cindy Enstrom, Cascades Field Manager, Bureau of Land Management, 1717 Fabry Road SE, Salem, OR, 97306. A copy of the *Notice of Appeal* must also be sent to the BLM Regional Solicitor (see Form 1842-1). The appellant has the burden of showing that the decision appealed from is in error.

If you wish to file a petition pursuant to regulation 43 CFR 4.21 (58 FR 4939, January 19, 1993) or 43 CFR 2804.1 for a stay of the effectiveness of this decision during the time that your appeal is being reviewed by the Board, the petition for a stay must accompany your *Notice of Appeal*. A petition for a stay is required to show sufficient justification based on the standards listed below.

Copies of the notice of appeal and petition for a stay must also be submitted to each party named in this decision and to the Board and to the appropriate Office of the Solicitor (see 43 CFR 4.413) at the same time the original documents are filed with this office. If you request a stay, you have the burden of proof to demonstrate that a stay should be granted.

Standards for Obtaining a Stay: Except as otherwise provided by law or other pertinent regulation, a petition for a stay of a decision pending appeal shall show sufficient justification based on the following standards:

- (1) The relative harm to the parties if the stay is granted or denied,
- (2) The likelihood of the appellant's success on the merits,
- (3) The likelihood of immediate and irreparable harm if the stay is not granted, and
- (4) Whether the public interest favors granting the stay.

Statement of Reasons: Within 30 days of the filing of the *Notice of Appeal*, a complete statement of reasons why you are appealing must be filed with the Interior Board of Land Appeals (see Form 1842-1).

Implementation Date

Implementation of this decision may begin 30 calendar days after the public notice of the Decision Record appears in the *Stayton Mail* newspaper. The public notice is scheduled to appear in the *Stayton Mail* on July 23, 2008.

Agency contact: For additional information concerning this decision or the appeal process, contact Patrick Hawe (503) 315-5974 or Carolyn Sands at (503) 315-5973, Cascades Resource Area, Salem District Office, 1717 Fabry Road SE Salem, OR 97306.

Approved by: Cindy Enstrom
Cindy Enstrom, Field Manager
Cascades Resource Area

7/23/2008
Date